

## HOUSE BILL NO. 311

INTRODUCED BY B. GLASER

A BILL FOR AN ACT ENTITLED: "AN ACT DEFINING "BASIC SYSTEM OF FREE QUALITY PUBLIC ELEMENTARY AND SECONDARY SCHOOLS" AS REQUIRED BY ARTICLE X, SECTION 1(3), OF THE MONTANA CONSTITUTION; AMENDING SECTION 20-9-307, MCA; AND PROVIDING AN EFFECTIVE DATE AND AN APPLICABILITY DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

**Section 1.** Section 20-9-307, MCA, is amended to read:

**"20-9-307. BASE funding program -- district general fund budget -- funding sources.** (1) ~~A Pursuant to Article X, section 1(3), of the Montana constitution, the legislature is required to establish and maintain a basic system of free quality public elementary and secondary schools and high schools must be established and maintained throughout the state of Montana to provide equality of educational opportunity to all school-age children.~~

(2) As used in this section, "basic system of free quality public elementary and secondary schools" means enabling students to:

(a) find joy in learning;

(b) communicate their ideas, knowledge, thoughts, and feelings;

(c) learn who they are becoming;

(d) develop personal responsibility;

(e) reason critically and creatively;

(f) affect a world in change;

(g) assume social responsibility; and

(h) further their creative ability.

~~(2)(3)~~ The state shall assess the cost of the basic system of free quality public elementary and secondary schools and shall, in an equitable manner and based on educationally relevant factors established by the legislature, fund and distribute to the school districts the state's share of the cost of the basic school system of free quality public elementary and secondary schools through BASE aid to support the BASE funding

1 program in the manner established in this title.

2 ~~(3)~~(4) The budgetary vehicle for achieving the financing system established in subsection ~~(2)~~ (3) is the  
3 general fund budget of the school district. The purpose of the district general fund budget is to finance ~~those~~  
4 ~~instructional, administrative, facility maintenance, and other operational~~ the costs of the basic system of free  
5 quality public elementary and secondary schools, including annual inflation-related adjustments provided for in  
6 20-9-326, of a district not financed by other funds established for special purposes in this title.

7 ~~(4)~~(5) The BASE funding program for the districts in the state is financed by a combination of the  
8 following sources:

9 (a) county equalization money, as provided in 20-9-331 and 20-9-333;

10 (b) state equalization aid, as provided in 20-9-343, including guaranteed tax base aid for eligible districts  
11 as provided in 20-9-366 through 20-9-369;

12 (c) appropriations for special education;

13 (d) a district levy, as provided in 20-9-303, for support of a school not approved as an isolated school  
14 under the provisions of 20-9-302; and

15 (e) district levies or other revenue, as provided by 20-9-308 and 20-9-353."  
16

17 NEW SECTION. **Section 2. Effective date -- applicability.** [This act] is effective July 1, 2005, and  
18 applies to the school fiscal years beginning on or after July 1, 2006.

19 - END -